



The FWA one year on – survey results

Executive Summary

Overview

This report reveals the findings of the online survey commissioned by umbrella group Professional Interpreters for Justice to mark the first anniversary of the Ministry of Justice's Framework Agreement and outsourced contract with Capita which came into operation on 30 January 2012.

Four in five refuse to join the Capita TI register

A total of 859 interpreters responded to the survey and four in five of them (81%) stated they refuse to join the register operated by Capita for interpreting jobs in courts and other parts of the justice system, even though the contract has been in operation for over a year.

These interpreters have strongly held views. They can't call a strike because they are freelancers. Their boycott however is not a simple matter of the lower rates of pay and expenses. They are principled individuals whose highest concern (85%) is that professional standards in public sector interpreting have been lowered. 84% feel the interests of justice are not served by the Framework Agreement and contract with Capita TI. Many stated they felt devalued and disrespected by the Ministry of Justice.

679 of the 859 interpreters who took part in the survey (79%) are on the National Register of Public Service Interpreters (NRPSI)* which provides and maintains the voluntary register for the interpreting profession. NRPSI ensures required qualification standards are met; the quality of interpreting is defined and maintained through a Code of Conduct; and that access to a database of professional interpreters is freely available for all.

Capita TI registered interpreters dissatisfied too

The interpreters who have registered with Capita TI (147 or 13% of the 859 who took part in the survey) were also dissatisfied. Over half said they were no longer accepting jobs and 42% stated they wanted to quit. Nearly half (47%) of those who are assigned to Tier 1 of the Capita TI register stated they were not asked to undergo any kind of assessment and 12% said they were not asked to supply evidence of their qualifications. These are breaches of the Framework Agreement terms.

Some expressed frustration that they couldn't get onto the NRPSI because their qualifications and experience weren't good enough.

High percentage of direct bookings shows contract is floundering

87% of the interpreters who are on NRPSI said they have been contacted directly in the last three months by various parts of the Criminal Justice System requesting their services. 58% stated they had been telephoned directly by Court clerks with urgent requests for them to attend because Capita TI has been unable to supply.

The majority (81%) said they received one or two calls per week. These findings call into direct question the Ministry of Justice's published statements that there have been service improvements. Within two weeks of the FWA coming into operation the Ministry of Justice had told courts and tribunals to revert to using the NRPSI for short notice bookings if Capita TI could not supply and there is clear evidence that this is still the case.

51% of these NRPSI interpreters stated they had accepted some of these urgent direct telephone calls from courts. They gave reasons including better pay and conditions and the satisfaction with being valued as a professional. The overriding factor was that they wanted to avoid the risk of miscarriages of justice which occur if there is no interpreter for a defendant or witness who does not speak English as their first language.

What does the future hold?

52% of all NRPSIs state that because of the FWA they plan to leave Criminal Justice System interpreting altogether in the near future if things don't change.

For those interpreters who are registered with Capita TI and who completed the survey, the situation is similarly bleak, with 40% stating that they will leave interpreting altogether if things don't change.

A consistent trend

The high response rate to this survey is consistent with three previous surveys carried out by Involvis, which have provided evidence to support the parliamentary inquiries held by the National Audit Office, Public Accounts Committee and Justice Select Committee.

Each survey has consistently shown that 80%-90% of qualified and experienced freelance interpreters who are on the NRPSI have not and will not register with Capita. The feelings are ingrained and show the Ministry of Justice that they have been misguided in believing interpreters can be persuaded to work under the FWA and Capita.

It is also clear that the calls to review the FWA and the Capita contract are supported by the majority of interpreters in the profession.

Dialogue with the Justice Minister

These findings will be shared with Justice Minister Helen Grant MP as she considers her response to the recently published Justice Committee report (6 February), which describes the Ministry's handling of the court interpreters contract as 'nothing short of shambolic' and said it 'failed to heed warnings from the professionals concerned'.

In September 2011, 98% of interpreters who took part in the first Involvis survey said they had not been consulted about the changes being made by the Ministry of Justice. They still haven't and the Involvis surveys remain the only source of independent evidence of interpreter opinions and the state of play in the Framework Agreement.

***Background on the NRPSI and the National Agreement**

Until 30th January 2012 there was a National Agreement (NA) for the use of interpreters in criminal proceedings which was introduced following Lord Justice Auld's Review of Criminal Justice in 2001. In 2006 a Home Office Circular reinforced the importance of the NA and the quality of interpreting services, and subsequent amendments were made to strengthen it, ensuring only registered and qualified interpreters on the NRPSI could practise in the Criminal Justice System.

NRPSI was originally managed by the Chartered Institute of Linguists and since April 2011 has been wholly independent. The Justice Committee report, in its conclusions and recommendations (no.4), endorsed the value of NRPSI when it stated: "there do not appear to have been any fundamental problems with the quality of services, where they were properly sourced i.e. through arrangements that were underpinned by the National Register of Public Service Interpreters."

Professional Interpreters for Justice

Professional Interpreters for Justice is an umbrella group representing over 2,200 NRPSI registered and qualified interpreters in 135 languages. Its aim is to work in partnership with the Ministry of Justice to safeguard the quality of interpreting services for the Criminal Justice System.

The ten member organisations are as follows: Association of Police and Court Interpreters (APCI); Chartered Institute of Linguists (CIOL); Institute of Translation and Interpreting (ITI); National Register of Public Service Interpreters Ltd (NRPSI); National Union of Professional Interpreters and Translators, part of Unite the Union (NUPIT); Professional Interpreters Alliance (PIA); Scottish Interpreters and Translators Association (SITA); Society of Official Metropolitan Interpreters UK Ltd (SOMI); Society for Public Service Interpreting (SPSI); Wales Interpreter and Translation Service (WITS).

See www.linguistlounge.org and follow @RPSI_Lounge and @United4Justice on Twitter

For the full survey report email aisleen.marley@involvis.co.uk

Telephone Penny Arbuthnot or Aisleen Marley at Involvis on 01473 326341

Topline Findings

Overview:

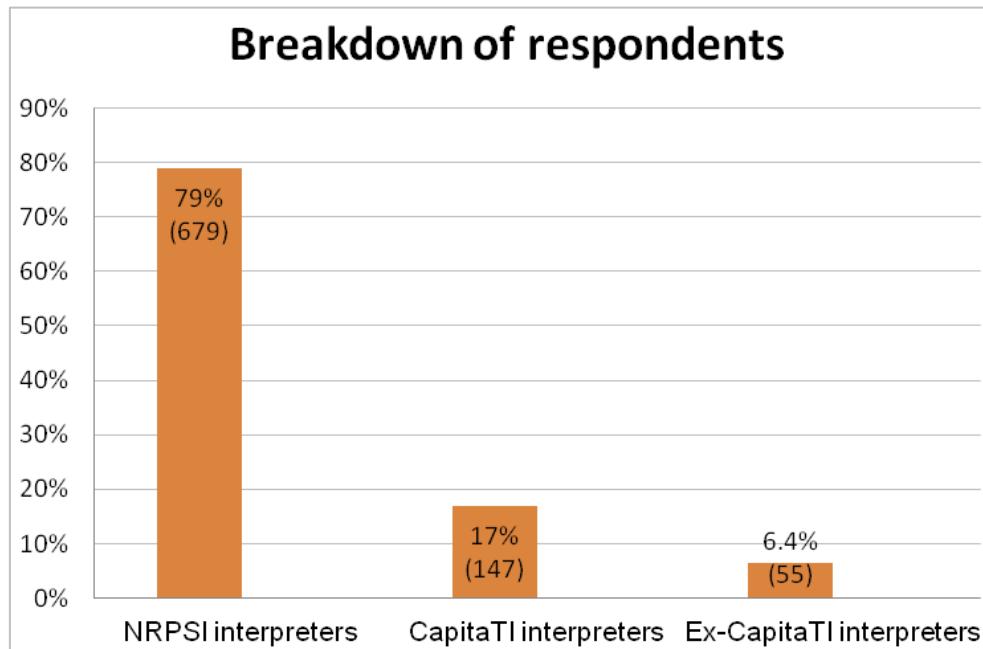
This briefing paper provides the topline findings of an online survey commissioned by umbrella group Professional Interpreters for Justice (see page 4) and carried out by Involvis to mark the first anniversary of the Ministry of Justice's Framework Agreement (FWA). The survey questionnaire was completed online between January 29th and February 10th 2013.

This report is published on 4 March 2013.

Breakdown of responses:

A total of 859 interpreters responded. Of these, 679 (79%) are on the National Register of Public Service Interpreters (NRPSI) which provides and maintains the independent voluntary register for the interpreting profession. Since 30 January 2012, however, the NRPSI has not been recognised by the Ministry of Justice which outsourced its justice sector interpreting requirements to Capita TI under a Framework Agreement.

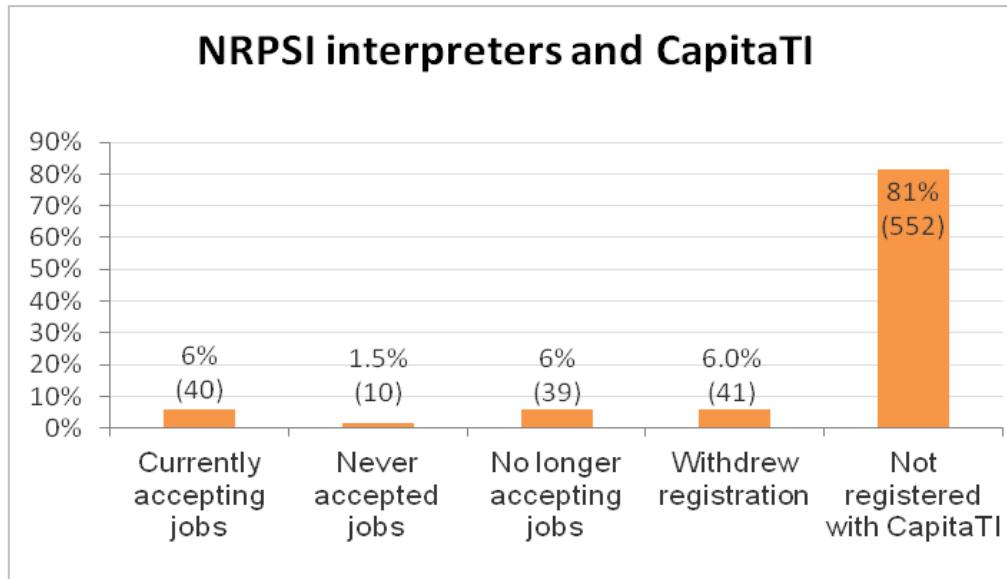
147 of those who responded to the survey said they were registered with CapitaTI and of these, 89 are on the NRPSI. 55 of those who responded said they were ex-CapitaTI interpreters and of these, 41 are on the NRPSI.



Key Findings:

Working with CapitaTI

- 81% (552) of NRPSI interpreters stated they are **not registered** with CapitaTI



- 85% of the 552 NRPSI interpreters who took part who have **not registered with Capita TI** stated that this was because "*professional standards in public sector interpreting have been lowered, which I do not agree with*". This was closely followed (84%) by the belief that "*the interests of Justice are not served by the FWA and CapitaTI contract*"; 83% stated that they fundamentally "*disagree with the introduction of the Framework Agreement and outsourcing to a single private contractor*" and 82% stated that the "*rates of pay/zero travel time payment/ reduction of travel expenses make it unviable or unaffordable to work under the Framework Agreement*".
- Of the 147 respondents who stated they **are registered with CapitaTI**, 48% (70) are regularly accepting jobs, 40% (59) accepted some jobs previously but are no longer accepting them and 12% (18) have never accepted jobs.

Quality checks on CapitaTI interpreters

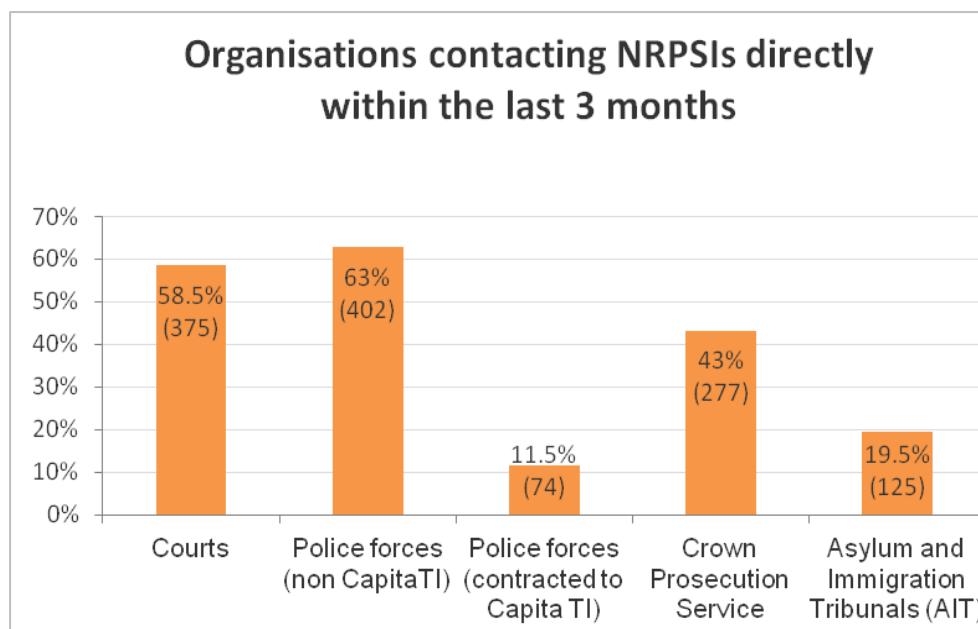
- 44.5% (57) of CapitaTI interpreters stated that they were not asked to undergo any kind of assessment of their interpreting skills by CapitaTI/ALS before they were offered jobs.
- 15% (19) stated that they were not asked to show evidence of their qualifications, with the same number stating that they were not asked to supply CRB evidence.
- 47% (46) of those assigned to Tier 1 were not asked to undergo any kind of assessment of their interpreting skills with a further 5% of Tier 1 interpreters stating that they were

not sure if they had been asked to undergo an assessment.

Direct Bookings

- 87% (557) of interpreters who took part who are on the NRPSI stated that they have been contacted directly (either by courts, police, CPS or the Asylum & Immigration Tribunals (AIT) booking centre) for interpreter bookings within the last 3 months.

A breakdown of those organisations making the most direct calls to NRPSIs is as follows:



- Around half of NRPSI interpreters stated they are accepting direct bookings from Courts (51%).

The main reasons for accepting direct bookings from courts can be broken down as follows (most common reason first):

- Satisfaction with the pay and conditions for direct bookings because they are paid at similar rates to the previous system (i.e. the National Agreement)
- Due to personal financial difficulties and needing some income
- NRPSIs being approached directly feel their professionalism is being valued
- A wish to avoid miscarriages of justice
- To prove that NRPSI interpreters are professional and of a high quality
- **18%** of NRPSI interpreters stated that they **refuse all direct bookings**. The majority of respondents refuse them because of a fundamental disagreement with the Framework Agreement which they hope will be withdrawn and because they do not want to ‘prop up’ CapitaTI and give the Ministry of Justice the impression that their system is working.

The Future of CJS interpreting

NRPSIs:

- 52% (328) of all NRPSIs stated that because of the FWA they planned to leave Criminal Justice System interpreting altogether in the near future if things don't change.

CapitaTI interpreters:

- 40% (53) of respondents who are currently registered with CapitaTI stated that, because of the FWA, they intend to leave CJS interpreting altogether if things don't change.